



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,685	08/25/2003	Thomas J. Kelly	08350.3304-04	9970

22852 7590 01/04/2006

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

BROADHEAD, BRIAN J

ART UNIT	PAPER NUMBER
----------	--------------

3661

DATE MAILED: 01/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/646,685

Applicant(s)

KELLY ET AL.

Examiner

Brian J. Broadhead

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2005 and 29 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-25 and 27-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 30,31 is/are allowed.
- 6) ☒ Claim(s) 1-6,8-25,27-29 and 32-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7-18-05 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8-29-05.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 through 29, and 32-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Pruzan et al., 6728603.

3. As per claims 1- 4, 7-13, 15-17, 19, 20, 22-29, and 32-35, Pruzan et al. disclose detecting a first message sent by a source module on a first data link, wherein the first message is directed to a destination module and includes an address identifier corresponding to the destination module, retrieving the first message and extracting the destination address identifier from the message on lines 10-15, on column 8; routing, based on the destination address and an address map, the first message to a proxy logic element that performs function associated with the destination module on lines 1-22, on column 9, the address map isn't explicitly disclosed but it is inherent since the gateway knows what messages go where; detecting a first message sent by a source module on a proprietary data link on lines 10-15, on column 8, and lines 41-42, on column 4; providing the first message from the proxy logic element to a second module over a second data link interfaced by the proxy logic element on lines 45-66, on column

3; receiving a second message responsive to the first message from the second message via the second data link on lines 36-48, on column 6; and routing the second message to the first module over the first data link via second module the address map on lines 10-26, on column 9; the nodes include at least one of either an on-board module and an off-board system in figure 1; the second data link is a non-proprietary standard data link including one of the types in the claim on lines 26-67, on column 7, and lines 31-56, on column 50; and a master controller remotely located with respect to the work machine and coupled to the work machine via a wireless data link, wherein the master controller is configured to control the modules on lines 46-67, on column 5, lines 14-16, on column 8, lines 10-16, on column 14, and lines 30-56, on column 20.

4. As per claims 5, 6, 14, 18, and 21, Pruzan et al. disclose detecting that the first data link is incompatible with the second data link and translating the second message into a comparable message consistent with the first data link on lines 51-67, on column 11; generating, by the proxy logic element, a second message that is responsive to the first message and routing the second message to the source module via the first data link on lines 36-47, on column 6; comprising a second data link that interfaces the proxy logic element(79).

5. Several of the limitations include functional language that the invention of Pruzan et al. is capable of performing.

Allowable Subject Matter

6. Claims 30 and 31 are allowed.

Art Unit: 3661

7. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record does not disclose a first gateway in a first work vehicle that will "intercept" and process a message destined for a destination module on a second work vehicle with a second gateway and the destination module that the message was intended for.

Response to Arguments

8. Applicant's arguments filed 7-18-05 have been fully considered but they are not persuasive. The argument that the emulation of the cited reference is different from the interception and processing of the claimed invention is not convincing. Emulation means doing the processing steps that are claimed in the current invention.

9. The arguments with respect to claim 27 are not convincing because the claim never specifies where the proxy logic that the gateway sends the message to is located. The claim can be read to include the logic at the master controller as being proxy logic. Pruzan et al. reads on this claim interpretation.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 3661

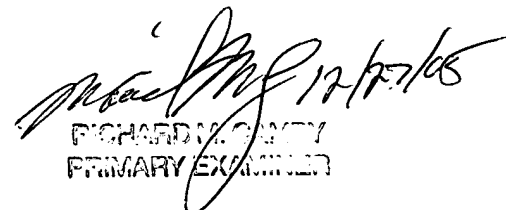
mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Broadhead whose telephone number is 571-272-6957. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on 571-272-6956. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


BJB


RICHARD M. CAWLEY
PRIMARY EXAMINER